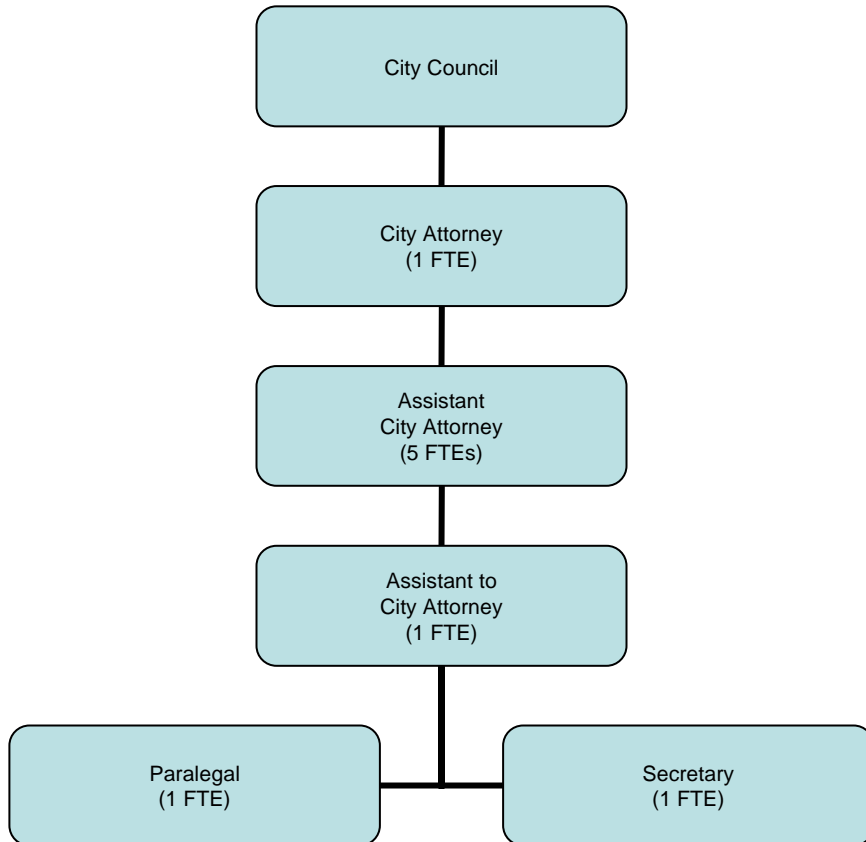




City Attorney (9 FTEs)



CITY ATTORNEY

Mission:

The mission of the City Attorney's office is to deliver high quality legal services to the City in a timely and efficient manner and with good cheer.

PROGRAM DESCRIPTION

City Attorney's Office**\$1,208,573****9 FTEs**

The City Attorney's office provides legal counsel and representation to the City Council, City Manager's office, departments of City government, and the various boards and commissions of the City, for the wide variety and considerable volume of projects and activities undertaken by the City. The office provides legal advice at Council meetings, performs legal research, offers advisory opinions to the City, and responds to requests from Council and City staff to draft or review contracts, ordinances and other legal documents. On request, the office provides legal analysis of proposed new or revised City programs and policies. The office represents the City in litigation and coordinates the retention of outside counsel in such areas as bond financings, the City's affordable housing programs, and certain real estate matters. The office provides assistance to the Risk Manager in the retention of outside counsel for the Risk Management program.

RESOURCE ALLOCATION

	Actual FY 2005-06	Adopted FY 2006-07	Estimated FY 2006-07	Adopted FY 2007-08	Change
Appropriations					
Personal Services	\$ 959,430	\$ 1,071,871	\$ 1,117,646	\$ 1,114,873	4.0%
Operating	65,749	93,700	74,041	93,700	0.0%
Total Appropriations	\$ 1,025,179	\$ 1,165,571	\$ 1,191,687	\$ 1,208,573	3.7%
Full Time Equivalents	9	9	9	9	-
Part Time	-	1	1	1	-
Revenues					
Discretionary	\$ 1,025,179	\$ 1,165,571	\$ 1,191,687	\$ 1,208,573	3.7%
Program	-	-	-	-	-
Total Revenues	\$ 1,025,179	\$ 1,165,571	\$ 1,191,687	\$ 1,208,573	3.7%

UNFUNDED OR UNDERFUNDED ITEMS

- None

BUDGET ISSUES FOR FY 2007-08

- The office is continuing to address substantially increased workload demands associated with continuing growth in the City, the large number of capital projects funded through the 2005 bond referendum, and recent federal and state stormwater regulatory requirements and implementation of those requirements through the City's development review process.

COMPLETED INITIATIVES FOR FY 2006-07

- Performed legal work on a variety of significant initiatives and projects, including the 2006 Legislative program, \$21,685,000 general obligation bonds sale, \$38,380,000 general obligation refunding bonds sale, \$34,440,000 taxable and \$11,430,000 tax-exempt certificates of participation sale, Durham Performing Arts Center (DPAC) development agreement, DPAC operating agreement, several DPAC naming rights agreements, West Village II redevelopment contract amendments, St. Joseph's development agreement,

agreement with Duke University regarding Anderson St., landfill methane gas collection agreement, and various land use issues and cases.

- Drafted or reviewed a number of major contracts and leases for the City, including 18 interlocal cooperation agreements with other units of government, and contracts or other legal documents for 20 separate affordable housing projects.
- Drafted or reviewed a number of major ordinances for the City, including new illicit stormwater discharge and pollution prevention ordinance, drug stem ordinance, shopping cart ordinance, personnel ordinance revisions, solid waste ordinance revisions, minimum housing code ordinance revisions, overgrown vegetation ordinance revisions, fair housing ordinance revisions, alcoholic beverages ordinance revisions, taxicab ordinance revisions, several sets of revisions to the Unified Development Ordinance, and a variety of other land use ordinance amendments.
- Developed a number of model agreements and forms to assist the City Administration in the efficient delivery of services to the citizens of Durham.
- Provided legal representation to the City on more than 50 claims under the Risk Management program and scored as lead counsel or co-counsel on more than 30 court cases.
- Provided legal work for the Community Life Court City Code Enforcement initiative.
- Met FY 2006-07 performance measurements for timely review of Council agenda items and for carrying out a preventive legal review program.

DEPARTMENT INITIATIVES FOR FY 2007-08

Many of the initiatives for the upcoming fiscal year are continuing projects from FY 2006-07.

These include legal work relating to:

- Numerous capital projects funded from the \$110,000,000 2005 bond referendum
- 2007 and 2008 Legislative program
- Durham Performing Arts Center project
- Eastway Village redevelopment project
- Phase 2 (Diamondview II) and future phases of the American Tobacco development project
- Durham Station transportation center project
- West Village downtown development project
- Renaissance downtown development project
- Woolworth/Parrish Street project
- Heritage Square and Golden Belt redevelopment projects
- Rolling Hills redevelopment project
- Durham Athletic Park development project
- Holton Middle School rehabilitation project
- Cable television franchise—transition to State-issued franchise
- Development of new City right-of-way ordinance
- Durham (Teer) Quarry water storage project

Most of the legal work of a law department is based on initiatives originating from the City Council and City Administration. A general forecast of work for the upcoming year may reasonably be gleaned from the City Manager's work program and the initiatives and projects of the City Council as they occur during the course of the year. Many of those Council initiatives and items in the City Manager's work program are likely to require legal input and support, whether in the form of legal research and advice, drafting or review of documents, or representing the City's interests in litigation.